



# Exclusions Policy

**Date of Adoption by Governing Body:** \_\_\_\_\_

**Chair of Governor's Signature:** \_\_\_\_\_

**Date to be Reviewed: August 2018**

The Joseph Rowntree School is committed to being a fully accessible and inclusive organisation welcoming and respecting the diversity of its pupils, staff, community and visitors to the school. This policy is underpinned by the commitment of all at The Joseph Rowntree School to ensure the safety and well-being of the whole school community and to maintain an appropriate educational environment in which all can learn and achieve.

We have an overall aim of reducing the need to use exclusion as a sanction.

## **Introduction**

The decision to exclude a pupil will be taken by the Headteacher in the following circumstances:-

- (a) In response to a serious breach of the School's Behaviour Policy;
- (b) If allowing the pupil to remain in School would seriously harm the education or welfare of the pupil or others in the School.

Exclusion is an extreme sanction and is only used by the Headteacher (or, in the absence of the Headteacher, Deputy Headteacher or Assistant Headteacher who is acting in that role).

Exclusion will be used when there is an immediate threat to the safety of others in the School or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will ensure appropriate investigations have been carried out, considering all the evidence available.

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School's Behaviour Policy:

- Verbal abuse to staff and others
- Verbal abuse to pupils
- Physical abuse to/attach on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse of illegal drugs or other substances including supplying
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Carrying an offensive weapon
- Bullying
- Racist behaviour / abuse
- Persistent Disruptive behaviour
- Refusal to follow staff instructions
- Arson
- Unacceptable behaviour

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

## **Exclusion procedure**

- Most exclusions are of a fixed term nature and are of short duration (usually between one and five days). During this period it is parental responsibility to ensure that the

pupil is not in a public place during normal school hours. Failure to do this can lead to prosecution.

- The DCFS regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.
- The school will inform parents as soon as possible regarding the exclusion.
- Parents will be informed of any exclusion by either the HOY or a member of the SLT. A letter will be sent with details of the exclusion and the date the exclusion ends.
- Parents have a right to make representations to the Governing Body and the L.A. as directed in the letter.
- A re-instatement meeting will be held following the expiry of the fixed term exclusion and this will involve the pupil, parent, a member of the Senior Leadership Team, and other staff where appropriate.
- It is school practice to monitor behaviour and work of the pupil very closely for the period following exclusion. This may mean the use of a report, close support of staff, or a series of organised sessions in behaviour support..
- If the fixed term exclusion is greater than five days or an accumulation of exclusions exceed five days, a Pastoral Support Plan may be drawn up. This needs to be agreed with the School, pupil, parents and any agencies involved.
- During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

### **Fixed term exclusions over 5 days**

According to Local Authority guidance school is obliged to provide full time education from the sixth day of any period of fixed term exclusion of 6 days or longer.

The school will consult with the L.A. officers for any exclusion of more than 5 days in order that the right full time education is arranged.

The school will provide education from the following agencies:-

- Behaviour of Attendance Partnership
- Danesgate Community School

The school will liaise with the outside education provider to ensure that the pupil continues with their programme of study. In most cases the school will set the work to be completed and ensure that it is completed appropriately.

### **Permanent Exclusion**

The decision to exclude a pupil permanently is a very serious one. There are two main types of situation in which permanent exclusion may be considered.

The first is a final, formal step in a concerted process for dealing with disciplinary issues following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which could include racist or homophobic bullying).

The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or "one off" offence. These might include things such as:-

- Serious actual or threatened violence against another pupil or a member of staff.

- Sexual abuse or assault
- Possession or use an illegal drug
- Carrying an offensive weapon\*
- Arson

The School will consider police involvement for any of the above offences.

*\* Offensive weapons are defined in the Prevention of Crime Act 1953 as “any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him”*

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being the school.

### **Exercise of discretion**

In reaching a decision, the Headteacher, Deputy or Assistant will always look at each case on its own merits.

In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School’s Behaviour Policy and the effect that the pupil remaining in the School would have on the education and welfare of other pupils and staff.

In line with its statutory duty, these same tests of appropriateness will form the basis of the deliberations of the Governors’ Pupil Discipline Committee, when it meets to consider the Headteacher’s decision to exclude.

### **Alternatives to Exclusion**

The School works closely with other local secondary schools to undertake managed moves where such a course of action would be of benefit both to the pupil and the two schools concerned. However, the threat of a permanent exclusion will never be used as the means to persuade parents to move their child to another school. Managed moves would follow the Behaviour and Attendance Partnership. “In Year Access Protocol”.

### **Behaviour Outside School**

Pupils’ behaviour outside School on school “business” for example school trips and journeys, away school sports fixtures or a work experience placement is subject to the School’s Behaviour Policy. Inappropriate behaviour in these circumstances will be dealt with as if it had taken place in School. If pupils’ behaviour in the immediate vicinity of the School or on a journey to and from school is inappropriate and meets the School criteria for exclusion then the Headteacher may also decide to exclude. The Headteacher / Deputy Headteacher may use exclusion as a sanction in any circumstance in which pupils can be identified as JRS students.

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